

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE COMPLAINT FILED</b>	)	<b>ORDER DISMISSING</b>
<b>BY JOHN P. DONAHOE, SIOUX FALLS,</b>	)	<b>COMPLAINT AND CLOSING</b>
<b>SOUTH DAKOTA, AGAINST WORLDCOM</b>	)	<b>DOCKET</b>
<b>REGARDING UNAUTHORIZED SWITCHING OF</b>	)	
<b>SERVICES</b>	)	<b>CT01-006</b>

On February 7, 2001, the Public Utilities Commission (Commission) received a complaint filed by John P. Donahoe, Sioux Falls, South Dakota (Complainant), against WorldCom (WorldCom) regarding unauthorized switching of services.

On February 7, 2001, the complaint was faxed to WorldCom. Pursuant to ARSD 20:10:01:09, WorldCom was notified that it must satisfy the complaint or file an answer in writing with the Commission by February 27, 2001. On February 26, 2001, the Commission received an answer in the above referenced complaint and a motion to consolidate Dockets CT01-005 and CT01-006 from WorldCom. On March 6, 2001, at a duly noticed meeting, the Commission voted unanimously to consolidate Dockets CT01-005 and CT01-006 for purposes of the hearing. A hearing in this matter was scheduled for March 22, 2001. By order dated March 22, 2001, the hearing was cancelled as Commission Staff was informed that settlement had been reached in this matter.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On April 17, 2001, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 24th day of April, 2001.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner